

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/AU2004/001566

## A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl. <sup>7</sup>: A61M 27/00, A61F 9/007

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

DWPI IPC A61M, A61F, A61B & keywords: eye, tube, plate, fold, valve and similar terms

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 3,788,327 A (DONOWITZ et al) 29 January 1974 Figures 1 and 4, column 2 lines 21 to 28 and column 2 line 65 to column 3 line 2	19,21
Y		20
Y	US 5,743,868 A (BROWN et al) 28 April 1998 Column 6 lines 40 to 42	20
A	US 6,186,974 B1 (ALLAN et al) 13 February 2001 Column 7 lines 56 to 58 and column 17 lines 39 to 56	
A	US 6,471,666 B1 (ODRICH) 29 October 2002 Abstract	

☒ Further documents are listed in the continuation of Box C

☒ See patent family annex

* Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search  
13 January 2005

Date of mailing of the international search report

17 JAN 2005

Name and mailing address of the ISA/AU

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 6,468,283 B1 (RICHTER et al) 22 October 2002 Abstract	
A	US 6,595,945 B2 (BROWN) 22 July 2003 Abstract	

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**Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)**

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

**Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)**

This International Searching Authority found multiple inventions in this international application, as follows:

First invention Claims 1-18

Second invention Claims 19-21

See extra sheet

1. ☒ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid; specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

**Remark on Protest**

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☒ No protest accompanied the payment of additional search fees.

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**Supplemental Box**

(To be used when the space in any of Boxes I to VIII is not sufficient)

**Continuation of Box No: III**

The international application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept. In coming to this conclusion the International Searching Authority has found that there are different inventions as follows:

1. Claims 1-18 are directed to a flexible ocular device comprising a foldable plate attached to the end of a tube wherein the foldable plate is located in the suprachoroidal space and the other end of tube opening to the anterior chamber. It is considered that a foldable plate located in the suprachoroidal space in fluid communication with the anterior chamber comprises a first "special technical feature".
2. Claims 19-21 are directed to an ocular pressure spike shunt comprising a flexible transfer tube extending from the anterior chamber to the surface of the cornea. It is considered that a flexible fluid transfer tube extending from the anterior chamber to the surface of the cornea comprises a second special technical feature.

Since the abovementioned groups of claims do not share any of the technical features identified, a "technical relationship" between the inventions, as defined in PCT rule 13.2 does not exist. Accordingly the international application does not relate to one invention or to a single inventive concept, *a priori*.

**INTERNATIONAL SEARCH REPORT**  
information on patent family members

International application No.  
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This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member			
US	3788327				
US	5743868				
US	6186974	AU	55666/98	AU	55676/98
		EP	0977531	US	6673883
		WO	9830615	ZA	9800174
US	6471666	US	2002193725		
US	6468283	AU	58573/96	CA	2220355
		CN	1449841	EP	0957949
		HK	1015290	IL	113723
		US	5868697	US	5968058
		US	2004088048	WO	9636377
US	6595945	CA	2433849	US	2002169468
		WO	02070045	US	2004073156
Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.					
END OF ANNEX					